

## Law Enforcement

Law Enforcement	2002 Actual	2003 Estimate	Uncontrollable & Related Changes (+/-)	Program Changes (+/-)	2004 Budget Request	Change From 2003 (+/-)
Operations \$(000)	48,261	49,778	+355	+409	50,542	+764
FTE	350	385	0	0	412	+27
Maintenance \$(000)	2,150	2,150	0	-26	2,124	-26
Cost Allocation Methodology \$(000)	[1,371]	[TBD]	0	0	[TBD]	0
<b>Total, Law Enforcement \$(000)</b>	<b>50,411</b>	<b>51,928</b>	<b>355</b>	<b>+383</b>	<b>52,666</b>	<b>+738</b>
<b>FTE</b>	<b>350</b>	<b>385</b>	<b>0</b>	<b>+27</b>	<b>412</b>	<b>+27</b>

### 2004 Program Overview

The work of the Service's 233 special agents, 89 wildlife inspectors, and 17 forensic scientists is essential to virtually every aspect of the agency's conservation mission. Through the Law Enforcement program, the Service enforces 14 laws and several treaties that protect thousands of animal and plant species in the United States and around the world. In FY 2004, the Service will continue its core investigative and inspection activities, with evidence analysis and species identification support from the National Fish and Wildlife Forensics Laboratory.

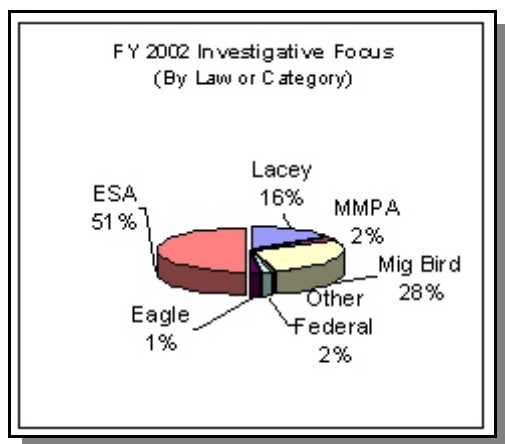
The Law Enforcement program supports DOI's draft Resource Protection Strategic Goal by sustaining biological communities. The Service Law Enforcement program strives to limit the impact of human activities (including take, commercialization, and habitat destruction) that might jeopardize the long-term viability of fish and wildlife populations.

Service enforcement officers support species recovery efforts by combating species-specific man-made threats (such as boat strikes, which are responsible for nearly a third of all manatee deaths). They also contribute to long-term conservation by enforcing laws that control human exploitation of fishery and wildlife resources through commercial harvest, domestic and international trade, and hunting. Service officers also support habitat conservation by investigating crimes involving environmental contaminants and unlawful development and through policing of Habitat Conservation Plan areas.

During FY 2004, Law Enforcement will complete development of and implement a Field Activity Report tracking system. This system will capture law enforcement work efforts for flexible retrieval and reporting, such as investigative activities by statute, physical inspections of shipments, outreach, and geographic boundaries. The system will provide management with the capability to identify ongoing work and redirect efforts in response to changes in priorities.

### Investigations

Special agents investigate wildlife crimes, with an emphasis on preventing the illegal take and sale of federally-protected resources, including endangered species, migratory birds, marine mammals, and species of international concern. Recent cases have exposed large-scale profiteering in southeastern paddlefish, sales of bald eagle parts, trafficking in Venus fly traps illegally collected from the wild in North Carolina, and smuggling of “commodities” that range from sea turtle eggs and elephant ivory to Russian caviar and rare reptiles. Agents work with industry, landowners, and local communities to protect wildlife from environmental hazards, promote species recovery, and safeguard habitat. Examples include speed zone enforcement efforts in Florida to protect endangered manatees from boat strikes and partnerships with electric utilities in the West that help reduce the risk of electrocution for eagles and other raptors. In FY 2004, the Service will maintain these activities, using traditional investigative approaches to detect wildlife crime; enforcement task forces and patrols to address threats to species such as manatees and grizzly bears; and proactive enforcement efforts to promote voluntary compliance with U.S. wildlife laws and treaties.



### Inspections

Wildlife trafficking threatens species that range from wild birds and exotic reptiles to insects, plants, and coral; much of this contraband is destined for the United States, which remains one of the world's largest markets for illegal wildlife. The Service's wildlife inspection program provides the Nation's front-line defense against this illegal trade, making a key contribution to safeguarding dwindling wildlife resources in the United States, North America, and around the world. Service wildlife inspectors monitor U.S. wildlife trade to facilitate legitimate commerce,

ensure compliance with wildlife laws and treaties, and intercept illegal trafficking. Inspectors examine commercial wildlife shipments, looking for contraband and violations of humane transport regulations; they also intercept smuggling by airline passengers and people and vehicles crossing the border and conduct proactive enforcement task forces that target specific trade problems, such as the smuggling of sea turtle products and the importation of mitten crabs, an invasive species. The Service projects that the volume of wildlife imports and exports will continue to grow in FY 2004 as it has in previous years. The agency will maintain inspector staffing at existing ports and move forward with plans to bolster inspection efforts on the Nation's northern and southern borders. The inspection program will also continue to support the President's e-Government initiative by building on its successful electronic declarations system and moving to electronic archiving of wildlife import/export data.

### 2002 Program Performance Accomplishments

The Law Enforcement program supported the Service GPRA mission goal of ensuring the sustainability of fish and wildlife populations with the \$50.4 million appropriated in FY 2002. While specific performance measures were not determined for Law Enforcement, Service special agents, wildlife inspectors, and forensic scientists were integral to the achievement of performance measures established by other programs, including International Affairs and Endangered Species. Significant program accomplishments include:

- Continued rebuilding its core enforcement capability by completing the training of 35 agents hired in 2001 to fill long-standing vacancies and hiring another 25 new agents to fill some of the program's remaining vacancies.
- Responded to the Nation's call for help in the wake of the 9/11 terrorist attacks by providing agents to operate a counter-terrorism security detail at Boston's Logan International Airport; detailing 29 officers (nearly a quarter of experienced FWS agents) to work as temporary federal air marshals for six months; and helping staff the Federal Counter-Terrorism Security Team at the 2002 Winter Olympics.

FY 2002 Investigative Caseload	
African Elephant Conservation	52
Airborne Hunting	8
Archeological Resources	4
Eagle Protection	150
Endangered Species (ESA)	3,875
Lacey Act	1,169
Marine Mammal Protection (MMPA)	136
Migratory Bird Stamp	309
Migratory Bird Treaty	1,777
National Wildlife Refuge	157
Other Federal Laws	131
Permit / License Investigations	12
State Laws	183
Wild Bird Conservation	87
Rhino Tiger	5
Total	8,055
Data compiled 12/30/02	

- Maintained a viable investigations program despite unanticipated homeland security assignments, with agents and inspectors pursuing more than 8,000 cases (including 3,875 involving violations of the Endangered Species Act and nearly 1,800 involving violations of the Migratory Bird Treaty Act).
- Conducted 12 cooperative enforcement task forces to protect endangered manatees from boat strikes, documenting 670 violations. U.S. Coast Guard officers issued an additional 711 tickets to boaters who ignored manatee zone speed limits, bringing the total number of violations to 1,381.
- Processed more than 117,600\* wildlife shipments, intercepting such unlawfully imported wildlife "commodities" as caviar, sea turtle eggs, endangered Asian arowana fish, bear bile, ivory, and rare reptiles. Inspectors also prevented the smuggling of injurious mitten crabs, began enforcing new bans on the importation of other invasive species (i.e., brushtail possums and snakehead fish), and supported the Nation's war on drugs, discovering cocaine and narcotics concealed in wildlife shipments.
- Met the President's goal of expanding e-Government by developing and pilot testing "eDecs"—a new Internet-based system for declaring wildlife imports and exports that promises to speed shipment clearance and facilitate legitimate wildlife trade

FY 2002 Violation Statistics	
# Violations	7,567
Jail (Years)	23
Probation (Years)	414
Net Fines	\$1,670,191
Civil Penalties	\$876,081
Data compiled 12/30/02	

Preliminary statistic as of 12/31/02; final number will exceed this threshold since data entry for FY 2002 declarations continues through mid-2003.

## LAW ENFORCEMENT

- Expanded inspection operations to improve trade monitoring and customer service. Anchorage began operating as a designated port; inspection services were re-established in San Juan, Puerto Rico; and an inspector was stationed at the border port of Champlain, New York.

### 2003 Program Performance Goal Estimates

In 2003, the Law Enforcement program will support the DOI draft Resource Protection goal to sustain biological communities. In addition, continued progress toward the implementation of the Field Activity Report tracking system will be underway, including construction and testing of basic functionality,

Wildlife Inspection Activity - Details Number of Shipments			
Designated Ports	FY 2002	Non-Designated Ports	FY 2002
Anchorage, AK	6,475	Agana, GU	608
Atlanta, GA	1,926	Blaine, WA	1,873
Baltimore, MD	2,697	Brownsville, TX	130
Boston, MA	1,195	Buffalo, NY	2,145
Chicago, IL	5,888	Champlain, NY	452
Dallas/Fort Worth, TX	4,153	Detroit, MI	2,258
Honolulu, HI	3,308	El Paso, TX	595
Los Angeles, CA	20,101	Denver, CO	432
Miami, FL	8,455	Great Falls, MT	919
New Orleans, LA	876	Houston, TX	871
New York/Newark, NJ	28,988	Laredo, TX	184
Portland, OR	963	Nogales, AZ	239
San Francisco, CA	4,734	Pembina, ND	2,152
Seattle, WA	3,169	San Diego, CA	582
		St. Paul, MN	1,298
		Tampa, FL	2,114
<b>Totals</b>	<b>92,928</b>	<b>Totals</b>	<b>16,852</b>
Data compiled 12/30/02			

determination of activity categories to be tracked, and creation of reporting modules. Refining the program for readiness in FY 2004 will support the Resource Protection and Serving Communities goals by providing additional means to measure and manage law enforcement activities, including those listed below. Significant accomplishments of the Law Enforcement program with the \$49.8 million in the President's budget will include:

- Completing training of 25 new special agents hired in 2002.

- Continuing investigative efforts and proactive compliance partnerships that safeguard federally-protected species, with emphasis on preventing the take and unlawful commercialization of endangered species, migratory birds, and marine mammals.
- Continuing manatee enforcement efforts with task forces, providing intermittent protection of this endangered species from boat strikes that threaten its recovery.

FY 2002 Total Wildlife Inspections	
Total Designated Ports	92,928
Total Non-Designated Ports	16,852
Non-staffed Ports	<u>7,832</u>
Total Shipments	117,612
Total Value	\$1.286 billion
Data compiled 12/30/02	

- Maintaining a rigorous inspection program at 32 ports and border crossings to provide an effective front-line defense against illegal wildlife trade and screen incoming cargo, passengers, and vehicles for contraband wildlife. These screenings have secondary benefits, such as discovering illegal weapons or drugs.
- Improving the electronic import/export declaration system to include on-line payment of user fees and work to achieve "e-transmission" of inspection results to U.S. Customs.

### Justification of 2004 Program Changes

Law Enforcement Operations	2004 Budget Request	Program Changes (+/-)
LE Operations	50,542,000	+ 1,500,000
FTE	412	+27

The FY 2004 budget request for the Law Enforcement program is \$52,666,000 and 412 FTE, a net program increase of \$1,500,000 and 27 FTE from the 2003 President's budget request level. The increase of 27 FTE's includes wildlife inspectors, special agent class, and positions required to meet Department Office of Inspector General recommendations relative to Law Enforcement. Other resources available for accomplishing the major performance goals supported by these appropriated funds include offsetting collections of import/export user fees averaging \$6,000,000 per year ([ \$6,073,448], [96] FTE in 2002).

### Law Enforcement Operations - Wildlife Inspectors (+\$1,000,000)

Wildlife inspectors contribute directly to the Department's draft Resource Protection Strategic Goal by their proactive presence at commercial and public travel points, where they strive to limit the impact of human activities (including take and commercialization) that might jeopardize the long-term viability of wild populations of animals and plants. Inspectors also support this goal by preventing the importation and introduction of invasive species that might threaten the health of watersheds, landscapes, and marine resources.

Wildlife smugglers, particularly those dealing in Mexican and other Latin American species, have taken advantage of the increased movement of goods across those borders since the enactment of the North

## LAW ENFORCEMENT

---

American Free Trade Agreement. Common contraband smuggled across the U.S./Mexico border includes neotropical parrots; Service officers in California report a recent upsurge in this trafficking, estimating that the birds they intercept (some of which have been infected by exotic Newcastles and other diseases that threaten the U.S. poultry industry) represent only 10 to 15 percent of the number entering the country in a trade that has already pushed some 30 percent of Western Hemisphere parrot species to the brink of extinction. Service investigations show that this trade is well-established along the Texas part of the border as well. Other illegal wildlife “commodities” flowing across our southern border include cacti, reptiles, insects, and tarantulas as well as products made from exotic leathers.



Service officers policing the U.S./Mexico border in California caught a smuggler bringing 125 birds, including these yellow-naped Amazons, into the country hidden in the seats of his van.

Although customer service issues predominate along the northern border, wildlife trafficking between the United States and Canada is also a concern. Smugglers use our northern neighbor as a conduit for global species such as endangered Asian arowana fish, rare Madagascan radiated tortoises, and protected corals while “homegrown” traffickers deal bear galls, bald eagle parts, and other wildlife items across the border.

To respond to the conservation threat of illegal trade, the Service requests an additional \$1,000,000 to hire nine new wildlife inspectors, effectively increasing the Service’s inspection component at U.S. land borders by 50 percent. Specifically, these additional wildlife inspectors will bolster interdiction capabilities at three border ports currently staffed by only one inspector, and the positions will place wildlife inspectors at six new locations, where wildlife inspection expertise is not currently available. (Proposed locations are in the chart on the following page.)

The proposed increase better positions Service Law Enforcement to support efforts to protect resources and property, and contribute to the sustainability of fish and wildlife populations, with particular impact on the conservation of species of international concern. Strengthening this core enforcement function will respond to the needs of sustainable wildlife industries, international sportspersons, and others who import and export wildlife while allowing the Service to intercept illegal trade.

Port of Entry		Rationale for Additional Position
Northern Border	Blaine, WA*	45% growth in wildlife shipments in the past decade; additional inspector needed to extend coverage of travelers, vehicles, and cargo.
	Sault Ste. Marie, MI	1 million vehicles/year enter U.S. at this port; high hunter traffic and nearly all raw fur shipments (including CITES species) use this port.
	Port Huron, MI	2.7 million vehicles/year enter U.S. at this port; preferred port of entry for land passengers and commercial shipments between urban centers in eastern Canada and major U.S. cities west of Detroit.
	Embina, ND*	850 miles of border with 32 U.S. Customs ports of entry exist along the Montana/North Dakota northern border; additional inspector needed to improve services along this boundary.
Southern Border	Calexico, CA	New U.S. Customs commercial trucking facility at this port; volume of traffic and commercial shipments expected to increase significantly over next decade.
	Brownsville, TX*	Port is comprised of multiple sea and land entry points; historically, an area of frequent psittacine bird (parrots) and primate smuggling.
	McAllen, TX	Centrally located between Brownsville and Laredo; enhance inspection efforts along this remote and lengthy border.
	Eagle Pass, TX	Major trade route between U.S. and Mexico with significant volume of pedestrian and vehicular traffic.
	Presidio, TX	Closest Service inspector 6 hours away; major trade route (La Entrada el Pacifico) expected to open soon directing 40% of commercial traffic from Mexico through this new route, greatly increasing potential for illegal wildlife shipments.

\* Border ports currently staffed by one Service inspector. All other locations represent new duty stations for the Service wildlife inspection program.

### Law Enforcement Operations - Protection of Endangered Manatees (+\$500,000)

Boat strikes remain a major threat to Florida's manatees, accounting for 33 percent of manatee deaths in FY 2002. With the number of boaters reaching an all-time high in Florida (the state estimates that more than 1 million boats use Florida waters each year), enforcement of boating speed limits in manatee protection zones is essential to the future viability of this endangered species. Without law enforcement officers "on the water," boaters will continue to ignore speed limits and manatees will continue to die.

The Office of Law Enforcement currently coordinates and conducts manatee enforcement operations in conjunction with the State of Florida and U.S. Coast Guard, using funds provided for manatee protection and recovery. These efforts contribute to the Department's draft Resource Protection Strategic Goals to protect the sustainability of biological communities. Protection of the manatee and its aquatic environment is an example of the Department's efforts to limit the impact of human activities (including take, commercialization, and habitat destruction) that might jeopardize the long-term viability of fish and wildlife populations through law enforcement programs. This activity effectively supports the Department's Intermediate Outcome Strategy to create habitat conditions for biological communities to flourish.

Service law enforcement staffing has remained static in Florida for the past 20 years, with only ten special agents to enforce all U.S. wildlife protection laws throughout the state, and to increase vigilance on both federally-designated manatee refuges and sanctuary areas. In 2002, 12 manatee protection task



## LAW ENFORCEMENT

---

forces were coordinated and executed utilizing local and out-of-state investigators. Service task force operations and Coast Guard enforcement efforts helped raise public awareness of the problem and resulted in charges against more than 1,300 boaters who paid some \$197,000 in fines.

Despite these efforts, a record 95 manatees died as a result of boat strikes in 2002. Although the Service is designating additional manatee refuges and sanctuaries and taking other court-mandated steps to protect this species, these efforts will fall short without adequate enforcement in both new and existing manatee protection zones.

The Service requests an additional \$500,000 for increased protection efforts for endangered manatees in 2004. With this funding, the Service will fulfill commitments made in the federal court to enhance enforcement efforts. Manatee protection task forces will be increased to 20 weekend and 30 midweek operations throughout the state, including announced and unannounced efforts during high-use time periods. Surveillance efforts will be enhanced using cameras and aircraft to monitor compliance. The scope of surveillance will be increased by using special agents to the task forces from across the Nation, resulting in no impact to FTEs.

The funds requested are critical to cover the cost to provide a law enforcement coordinator for federal/state manatee protection efforts; organize, supervise, and conduct additional enforcement task forces; lead the effort to develop and place regulatory signs in manatee refuge and sanctuary waters that effectively warn boaters of speed limits while complying with Coast Guard regulations and local zoning rules; and work with the Florida Fish and Wildlife Conservation Commission, U.S. Coast Guard, and local governments to reduce boat strike deaths of manatees. These funds will ensure increased manatee protection and support the recovery of this endangered species while minimizing the impacts on other priority law enforcement efforts.



Service efforts to enforce boating speed limits help combat boat strikes, which account for a third of all manatee deaths.

### **Travel Reduction (- \$350,000)**

The request includes a \$350,000 reduction for travel expenses to be accomplished by curtailing unnecessary travel and relocation costs, as well as increased teleconferencing and use of central meeting locations.

The Service employs approximately 8,000 permanent full time staff at approximately 700 field stations supported by seven regional offices and the Washington D.C. headquarters office. Many of the staff transfer from one field location to another or accept assignments at the Washington or regional offices to expand their professional experience or increase the level of responsibility in the organization. Service employees frequently travel to meetings such as professional association national, state, or local chapter quarterly and annual meetings. The Service recognizes that there is significant benefit to be obtained by having employees work at different locations and at increasing levels of responsibility. The



proposed decrease will not eliminate the opportunity for relocating, but will increase the time between moves.

Direct, mission related travel and travel associated with training will not be impacted by the proposed reduction. The Service will carefully evaluate policies and procedures related to attendance at meetings and conferences and will institute policies to limit redundancy in attendance.

### **IT Reduction (- \$767,000)**

The Department is undertaking significant information technology reforms to improve the management of IT investments, to improve the security of systems and information, and to realize short and long-term efficiencies and savings. The Department is taking a corporate approach that will include consolidated purchases of hardware and software, and the review of select IT functions including centralized help desks, email support, web services, centralized network management, and coordination of training. The Service estimates a savings of \$6.6 million by participating in these Departmental efforts.

In addition, the Service will also achieve an additional \$2.0 million in savings in other operational IT investment by centralizing management of geographic software, implementing desktop standards, consolidating the Service messaging platform, and other similar activities.

The Law Enforcement program's share of this reduction of \$767,000 reflects the anticipated savings from these cost cutting measures and reforms.

### **Relationship of Program Changes to Performance Goals**

Broadened coverage (by 50%) and increased customer service by wildlife inspectors at northern and southern U.S. borders will contribute to the Department's draft Resource Protection and Serving Communities goals. The \$500,000 increase will allow the Service to augment protection efforts for endangered manatees, supporting the Department's draft Resource Protection goal. These activities will be tracked by continued refinement of the LEMIS database Field Activity Report system.

### **Program Performance Summary**

The Service has not yet developed performance measures for this program. Measures will be developed as part of the Service's operational plan. The Service is in the process of developing a new operational performance plan that directly aligns all program activities and objectives with the Secretary's four strategic plan mission components - Resource Protection, Resource Use, Recreation, and Serving Communities. The operational plan will contain new long-term and annual performance goals and measures to guide the delivery of program implementation, management reform, and budget formulation. The alignment and integration of program performance with budget formulation will provide the context for transparent accountability and the foundation for continual improvement. The Service anticipates completion of a new operational plan by September of 2003.

This Page Intentionally Left Blank.